IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ARRIVALSTAR S.A. and MELVINO TECHNOLOGIES LIMITED,	)	**Civil Action No. 07-0415-JFC**
Plaintiffs,	)	**Judge Joy Flowers Conti**
v.	)	
SHIPMATRIX, INC., UNITED PARCEL SERVICE, INC. and FEDEX CORPORATION	)	
Defendants.	)	

JOINT DISPUTED CLAIM TERMS/PHRASES CHART
APPENDIX B TO LOCAL PATENT RULES

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
1. "impending arrival"	to be about to reach a destination	'318, Abstract; Figs. 5, 6, 14-20, 33-35; col. 3:7- 5:10, col. 13:61 – 14:6, col. 15:37 – 17:10, col. 17:63 – 18:37, col. 20:11 – 33, col. 21:12-54, col. 24:65 – 25:47, col. 26:21-42, col. 28:18-41, col. 29:3-19, col. 31:4-28, col. 32:41 – 33:6, col. 37:19-38, col. 37:59 - 38:8 and The American Heritage College Dictionary, 3rd, 1997	As, or shortly before, a vehicle approaches a vehicle stop	FIGs. 5, 6, 15, 16, 19, 25, and 45 and accompanying text. "In essence, the computer messaging process 202 uses the vehicle location information 25 retrieved from the VCU 12 by the vehicle communications process 18a in order for the BSCU 14 to send computer messages of the approaching delivery vehicle 19." ('318, Col. 32, ll. 43-48). "There are many situations when it is desirable for people to know of the approximate arrival time of a particular vehicle, the distance of a particular vehicle approaching, when a vehicle crosses particular location points, and when a

[1] Where the parties have cited to language from the specification of one of the Patents-in-Suit, where the same or similar language is found in another of the Patents-in-Suit, the parties incorporate by reference this additional language as if the language/citation were fully set forth herein.

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				particular vehicle is leaving its last stop, all shortly before the vehicle is to arrive at a particular destination." (emphasis added). ('119 Application, Background of the Invention, page 2) "Yet another example is in the commercial overnight package delivery industry, wherein packages are delivered on a tight schedule. In this regard, it is desirable to notify a user at a delivery stop for better customer preparation as the vehicle approaches. By the customer becoming better prepared and a delivery driver being able to deliver more packages per day, an overnight package delivery company can increase profits by requiring fewer vehicles to deliver more packages in a business day." (emphasis added) ('318, Col. 2, ll. 23-32).

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				"In the preferred embodiment, a person's computer 29 can activate an impending arrival message when software 223 is residing on a person's computer as shown in FIG. 25. The software 223 compares vehicle location in block 224 and user activation preferences in block 225 to the user preferences display options 226a and user audio options 227a, each time a vehicle 19 is approaching." ('318, Col. 36, ll. 16-22). "Additionally, individuals already try to project the arrival of a vehicle or package by online package tracking services provided by commercial delivery companies, such as the United Parcel Service (UPS), Federal Express (FED-X), and others. Although traditional methods used in

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				determining when a vehicle are to arrive at a stop is effective in some cases, a more precise method using a pre-warning message can be more helpful in providing accurate information. Currently, such vehicles, in order to ensure delivery of all packages in the same day, keep loads at a lower capacity in order to compensate for waiting times encountered at a percentage of vehicle stops when customers react slowly to their arrival. Thus, generally, it would be desirable for a user to know when a vehicle (such as a bus, truck, train, plane, user, or the like) is (a) a particular time period (for example, number of minutes or seconds) away from arriving at a destination, (b) a particular distance (for example, number of miles or height) away from the

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				destination, or (c) at a particular location among a set of location points, so that the user can adjust his/her schedule and avoid arriving too early or too late." ('318, Col. 2, ll. 33-54). "Briefly described, the present invention provides for advance notification systems and methods for notifying a user of an impending arrival of a vehicle as the vehicle approaches a particular location." ('318, Summary of the Invention, Col. 3, ll. 7-10). "Additionally, connecting a television set to a user's computer and the user's computer operating software/hardware for displaying images onto a person's television screen when a vehicle is approaching." ('318, Col. 4,

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				ll. 42-46.) "Preferably, a computer can exhibit a distinctive video and sound so that the message recipient will be informed of the arrival of a vehicle." ('318, Col. 4, ll. 51-53.) "The Person's Computer 29 linked to a computer network is for receiving impending arrival messages when vehicles 19 are approaching. A person's computer 29 can be equipped with standard messaging software associated with a computer network or additional software that activates additional audio and/or video when vehicles 19 are approaching and an impending arrival message is received." ('318, Col. 15, ll. 52-59). "The information sent to a

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				person's computer 29 can be received with normal computer networking software, or with additional proprietary software. With proprietary software 223 (FIG. 25) operating on a person's computer 29, the software 223 can determine when a vehicle 19 is approaching in block 224, then compare user preferences in block 225 when a vehicle 19 is approaching for displaying video and playing audio messages of the impending arrival of a vehicle 19 in blocks 226 and 227." ('318, Col. 25, ll. 20-28).
2. "travel data/travel status"	Travel Data: information associated with moving from one place to another, such as, e.g., time, route, distance, and/or location information	'318, Abstract; Figs. 3-20, 22, 25, 33-35; col. 3:7- 5:10, col. 11:24 – 12:60, col. 13:12 – 14:38, col. 15:37 - 16:56, col. 17:63 – 19:8, col. 19:58 – 20:63, col. 21:12 – 22:45, col. 22:34 – 25:19, col. 25:48 – 26:63, col. 28:66 - 29:60, col. 31:4 – 32:38, col. 32:41	Live vehicle location information	FIGs. 3, 15, 16, 18, 19, 21, 23, 24, 25, 45, 46, and 47 and accompanying text. "In essence, the computer messaging process 202 uses the vehicle location information 25 retrieved from the VCU 12 by the

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		– 33:36, col. 33:39 - 35:32, col. 35:38 – 37:18, col. 37:59 – 67, col. 38:34-49 and The American Heritage College Dictionary, 3rd, 1997		vehicle communications process 18a in order for the BSCU 14 to send computer messages of the approaching delivery vehicle 19." ('318, Col. 32, ll. 43-48).
	Travel Status: Information associated with the current movement from one place to another	'318, Abstract; Figs. 3-20, 22, 25, 33-35; col. 3:7- 5:10, col. 11:24 – 12:60, col. 13:12 – 14:38, col. 15:37 - 16:56, col. 17:63 – 19:8, col. 19:58 – 20:63, col. 21:12 – 22:45, col. 22:34 – 25:19, col. 25:48 – 26:63, col. 28:66 - 29:60, col. 31:4 – 32:38, col. 32:41 – 33:36, col. 33:39 - 35:32, col. 35:38 – 37:3, col. 37:59 – 67, col. 38:34-49 and The American Heritage College Dictionary, 3rd, 1997		"Moreover, actual onscreen video and audio associated with the advance notification warning can be stored on a person's computer 29, with activation by a vehicle's 19 location as it reaches a predefined location, time, or prior stop." ('318, Col. 16, ll. 19-25). "The live vehicle 19 location information is made acces-sible through the Vehicle Location Data Base (VLDB) 14a. The (VLDB) 14a also analyzes route data by averaging past routes with time from one location to the next. Time of day, day of week and month are also determining factors needed

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				for determining the average travel time from one location to the next." ('318, Col. 16, ll. 26-32). "The Base Station Control Unit (BSCU) 14 sends vehicle location to the Person's Computer (PC) 29 when a predefined time period expires, the estimated vehicle 19 location is not correct with the actual vehicle 19 location, when a vehicle 19 sensor is activated, or when loading or capacity allows for communication to take place." ('318, Col. 16, ll. 42-47). "FIG. 9 and FIG. 10 are illustrations of an advance notification system 10 configuration without the use of a Global Positioning System (GPS) sensor 25a as shown in FIGS. 1, 2, 7, and 8. These configurations illustrate a system 10 for

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				notifying a Person's Computer (PC) 29 by tracking vehicles' 19 package delivery attempts, by monitoring User Input Controls (UIC) 21a and each truck's Route List with order of delivery (RL) 21b. By monitoring each vehicle's 19 attempted delivery and the particular route order, advance notification can be set for a prior stop, a particular estimated location using mapping software and/or past records of vehicle 19 times associated with package delivery stops and time there between." ('318, Col. 16, ln. 57- Col. 17, ln. 2). "The actual vehicle 19 number (which delivers or picks up a package from a business or resident, and not necessarily mid-point vehicles) and package addresses are recorded into

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				the BSCU 14 when packages are sorted to a specific delivery vehicle 19 or are entered into the BSCU 14 by the user sending or receiving the package. Additional vehicle 19 stops may be added when requests to pickup packages are received. The request to pickup a package can be downloaded to the VCU 12, with a display for the driver to accept or return for another driver or time/day. If the vehicle 19 driver enters route or package data (the order of delivery, packages, or changes from a computer generated delivery list), the data is then uploaded to the BSCU 14. The timing and package delivery locations are recorded in the BSCU 14 during the initialization of the system 10 and used as a reference for determining locations from impending arrival message points. This

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				information accesses the computer network to inform a user computer 29 when a delivery vehicle 19 is at a predetermined time, mileage, street location, and/or last delivery away from a vehicle 19 stop. In the preferred embodiment, determining the location of a delivery vehicle 19 is accomplished by sending the vehicle location of a delivery vehicle 19 from the time the vehicle 19 departs and/or starts its route. The timing information is recorded during the initialization and daily recording of vehicle locations with time, and the system 10 is used as a reference during the usual operation of the system 10 for the purpose of determining whether a delivery vehicle 19 is at a predetermined location or time from a delivery stop. Other reference information

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				may be obtained from software for mapping, for example, streets, vehicle speed limits, and traffic flow." ('318, Col. 18, ll. 5-38). "The actual vehicle location activates the impending arrival message when the location matches the selected choice from the user preference data base. Furthermore, the actual order of vehicle 19 stops may be used to determine if the vehicle 19 is entering a selected area on more than one occasion. This comparison provides a distinct advantage by increasing the accuracy of a vehicle 19 impending arrival message by sending the message after the last entry of a vehicle 19 into the user-predefined area. Another advantage of comparing the delivery order list to the user

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				defined areas for notification is the addition of the number of deliveries before reaching the user stop to the impending arrival message, e.g., "UPS has 3 packages for delivery and is 1 mile from your stop at this time. The vehicle has 2 other stops before reaching your location". While the delivery vehicle 19 actual locations are compared to the existing travel time and distances (FIG. 15), the BSCU 14 is also storing actual location events (time between longitude and latitude or Universal Transverse Mercator (UTM) grid system information points) for aver-aging with the planned route/travel time over distances. When the BSCU 14 begins sending messages to user computers 29 at a predefined time, distance, location, and/or prior stop,

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				for the impending arrival of a delivery vehicle 19, each particular user computer 29 receives an electronic message and is displayed on their screen, as indicated in flow chart block 145a (FIG. 16). In one example, as shown in FIG. 16, at waypoint number 20 (140c) along the delivery route, the BSCU 14 places a message (144c) to a user computer 29 at waypoint 30 (140d) of the delivery vehicle 19 actual location. A second example in FIG. 16, shows a user being notified when the vehicle 19 is one mile away (144d) 14c from waypoint 30 (144d). The third example in FIG. 16, shows a user being notified when the vehicle is at a redefined street location (144b). This is accomplished by comparing street mapping software with included longitude/latitude or Universal Transverse

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				Mercator (UTM) grid system information coordinates, notification requests, and the (BSCU) 14 vehicle location data base (VLDB). As shown in the configurations (FIGS. 15 and 16), time is used to cross reference travel between locations. Determining vehicle location 19, between communication updates, is achieved by comparing times of prerecorded route information, actual live traffic monitoring systems, and statistical data." ('318, Col. 20, ll. 19-62).
3. "automated"	making use of automated operations	'318, Abstract; Figs. 3-20, 22, 25, 33-35; col. 3:7- 5:10, col. 10:46-64, col. 10:66 – 14:38, col. 14:41 -15:36, col. 17:63 – 18:56, col. 19:11 – 20:63, col. 21:16 – 22:45, col. 24:53 – 25:47, col. 26:1-65, col. 28:18-41, col. 29:20-60, col. 35:34-36:15, col. 37:19-38, col. 37:59 - 38:8 and The American Heritage	Operating automatically without human intervention.	FIGs. 3, 15, 16, 18, 19, 21, 23, 24, 25, 45, 46, and 47 and accompanying text.

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		College Dictionary, 3rd, 1997		
4. "monitoring"	keeping track of	'318, Abstract; Figs. 3-20, 22, 23, 25, 33-35; col. 3:7-5:10, col. 11:24 – 12:60, col. 13:12 – 14:38, col. 15:37 - 16:56, col. 17:63 – 19:8, col. 19:58 – 20:63, col. 21:12 – 22:45, col. 22:64 – 25:19, col. 25:48 – 26:63, col. 28:66 - 29:60, col. 31:4 – 32:38, col. 32:41 – 33:36, col. 33:39 - 35:32, col. 35:38 – 37:18, col. 37:59 – 67, col. 38:34-49 and The American Heritage College Dictionary, 3rd, 1997	Continually determining	FIGs. 3, 15, 16, 18, 19, 21, 23, 24, 25, 45, 46, and 47 and accompanying text. "FIG 3 is a high level flow chart diagram of the advance notification system of the present invention as applied to a delivery truck system, as indicated in this diagram, the advance notification system generally includes a vehicle monitoring process for determining the location of vehicle's remotely, . . . " ('318, Col. 5, ll. 38-41.) "In essence, the computer messaging process 202 uses the vehicle location information 25 retrieved from the VCU 12 by the vehicle communications process 18a in order for the BSCU 14 to send computer messages of the approaching delivery vehicle 19." (Col. 32, ll. 43-48).

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				"The impending arrival message is activated when a vehicle 19 is at a predetermined time 336, distance away from a stop 337, or at a location/address 338. The computer messaging activation points (as indicated in FIG. 27) and the delivery list (as indicated in FIG 14) are crossed referenced with the vehicle's actual progress through its route and delivery stops. When a particular time, location, and/or package delivery for sending a particular message is reached, the messaging process initiates an electronic computer message to the particular user, as indicated by the flow chart diagram in FIG. 22." ('318, Col. 32, ll. 55-65). "The vehicle 19 location is compared in the person's

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				computer 29, then activated and displayed when the user preferences match the actual vehicle's location." ('318, Col. 35, ll. 60-63). "In the preferred embodiment, a person's computer 29 can activate an impending arrival message when software 223 is residing on a person's computer as shown in FIG. 25. The software 223 compares vehicle location in block 224 and user activation preferences in block 225 to the user preferences display options 226a and user audio options 227a, each time a vehicle 19 is approaching." ('318, Col. 36, ll. 16-22). "The BSCU compares the vehicle route stop list with route management software, then determines when to send an impending arrival message by preferences,

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				normally chosen by the system operator or a user preparing to receive the advance notification message." ('318 patent, Abstract) "The live vehicle 19 location information is made accessible through the Vehicle Location Data Base (VLDB) 14a. The (VLDB) 14a also analyzes route data by averaging past routes with time from one location to the next. Time of day, day of week and month are also determining factors needed for determining the average travel time from one location to the next. The protocols used for the computer network communication between the modules located on a person's computer 29 and the modules located at a BSCU14 for vehicle location 14a are normally as follows. (a) The Person's Computer

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				(PC) **29** contacts the Base Station Control Unit's (BSCU) 14 Vehicle Location Data Base (VLDB) 14a (FIGS. 7-10) when vehicle 19 location is needed for monitoring a vehicle 19 for an advance notification warning. Timing cycles are used for vehicle 19 location updates, and preferences can be set for communication optimization. (b) The Base Station Control Unit (BSCU) 14 sends vehicle location to the Person's Computer (PC) **29** when a predefined time period expires, the estimated vehicle 19 location is not correct with the actual vehicle 19 location, when a vehicle 19 sensor is activated, or when loading or capacity allows for communication to take place. Additionally, vehicle 19 location information can be sent over a computer network and/or Internet at predefined times

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				and automatically received by each Person's Computer (PC) **29** that is linked to the computer network/Internet. A particular vehicle's location, in-between communication cycles, is established by past vehicle location records and average time needed to travel from one location to the next. Moreover, some configurations only update vehicle 19 locations at a predefined time of day." ('318, Col. 16, ll. 26-56). "Next, as indicated at flow chart block 45c (FIG. 13), the VCU 12 determines, continuously or periodically, the location of the delivery vehicle 19 by the positioning system 25 and sends the BSCU 14 (FIG. 1) the location information in view of the planned route or stop sequence data (derived from initialization of the packages

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				on the vehicle 19 and/or mapping technologies). In the preferred embodiment, the BSCU 14 at least compares the delivery vehicle 19 current location with the planned route location derived from the logistics of current mapping and route planning technology (FIG. 10) for determining time and/or distance away from a user stop. By comparing previous vehicle 19 routes with time differences between waypoints (longitude and latitude points or Universal Transverse Mercator (UTM) grid system information points an average route timing data base may be used to calculate the time to travel from actual vehicle locations to the impending arrival time at a particular stop. Additional traffic flow measurements may be added by comparing time of day, actual live traffic flow sensors, or other

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				methods. The method for determining a distance from a user stop for activating an advance notification message may be accomplished by software at the BSCU 14 or the user computer 29. The user interactive software shows the cur-rent user location on a map (FIG. 31)." ('318, Col. 19, ln. 56 – Col. 20, ln. 15). "The actual vehicle location activates the impending arrival message when the location matches the selected choice from the user preference data base. Furthermore, the actual order of vehicle 19 stops may be used to determine if the vehicle 19 is entering a selected area on more than one occasion. This comparison provides a distinct advantage by increasing the accuracy of a vehicle 19 impending arrival

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				message by sending the message after the last entry of a vehicle 19 into the user-predefined area. Another advantage of comparing the delivery order list to the user defined areas for notification is the addition of the number of deliveries before reaching the user stop to the impending arrival message, e.g., "UPS has 3 packages for delivery and is 1 mile from your stop at this time. The vehicle has 2 other stops before reaching your location". While the delivery vehicle 19 actual locations are compared to the existing travel time and distances (FIG. 15), the BSCU 14 is also storing actual location events (time between longitude and latitude or Universal Transverse Mercator (UTM) grid system information points) for aver-aging with the planned

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				route/travel time over distances. When the BSCU 14 begins sending messages to user computers 29 at a predefined time, distance, location, and/or prior stop, for the impending arrival of a delivery vehicle 19, each particular user computer 29 receives an electronic message and is displayed on their screen, as indicated in flow chart block 145a (FIG. 16). In one example, as shown in FIG. 16, at waypoint number 20 (140c) along the delivery route, the BSCU 14 places a message (144c) to a user computer 29 at waypoint 30 (140d) of the delivery vehicle 19 actual location. A second example in FIG. 16, shows a user being notified when the vehicle 19 is one mile away (144d) 14c from waypoint 30 (144d). The third example in FIG. 16, shows a user being notified when the vehicle is

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				at a redefined street location (144b). This is accomplished by comparing street mapping software with included longitude/latitude or Universal Transverse Mercator (UTM) grid system information coordinates, notification requests, and the (BSCU) 14 vehicle location data base (VLDB). As shown in the configurations (FIGS. 15 and 16), time is used to cross reference travel between locations. Determining vehicle location 19, between communication updates, is achieved by comparing times of prerecorded route information, actual live traffic monitoring systems, and statistical data." ('318, Col. 20, ll. 19-62). "By monitoring each vehicle's attempted delivery and the particular route order, advance notification

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				can be set for a prior stop, a particular estimated location using mapping software and/or past records of vehicle 19 times associated with package delivery stops and time therebetween." ('318, Col. 16, ln. 64 – Col. 17, ln. 2.) "Another example compares the list of stops with the vehicle 19 location and determines the last occurrence before the delivery vehicle will cross the predefined marker points to activate the impending arrival message 19. Additionally, the BSCU 14 adjusts its messaging activa-tion to an actual stop point at each user stop. This allows each user to be notified in accordance with the selected predefined time, distance, location and/or last stop, for example, "The XYZ Delivery Company truck is

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				currently at the corner of Delk Road And Peachtree Street and is approaching your stop" block 415 (FIG. 18). A second message 419 (FIG. 18) will also be sent when the vehicle 19 is detained outside of the predefined system 10 preferences for being late for a stop after sending the initial message 415. Furthermore, in this configuration, a third message is sent as the vehicle 19 arrives at the stop 424." ('318, Col. 21, ll. 12-27). "As indicated at flow chart block 45f (FIG. 13), the BSCU 14 again determines if the delivery vehicle 19 is on the planned route and stop schedule by analyzing the vehicle location 25 (FIG. 1) and comparing it to the actual stops on the list. Preferably, in this regard, the BSCU 14 at least compares

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				stops on the driver list and the actual location of stops made by the driver to determine if the driver has changed from his route list order." ('318, Col. 21, ll. 55-62).
5. "message"	words and or symbols representing an idea	'318, Abstract; Figs. 1, 2, 6, 18, 26, 31, 50; col. 4:50 - 64, col. 11:7 – 18, col. 15:24 – 36, col. 15:48 – 64, col. 17:11-48, col. 18:22 – 29, col. 20:40 – 62, col. 21:16 – 32, col. 25:17 – 38, col. 26:8 – 20, col. 26:38 – 42, col. 26:61 – 62, col. 27:10 – 53, – 22:45, col. 22:34 – 25:19, col. 25:48 – 26:42, 33:1 – 6, col. 37:59 – 67, col. 38:58-64, col. 39:14-18 and The American Heritage College Dictionary, 3rd, 1997	A communication that advises a user of the impending arrival of a vehicle at a vehicle stop	"The advance notification message is to advise a user of the impending arrival of the vehicle." ('318, Col. 4, ll. 50-51). "The diagrams show the options for receiving impending arrival messages as a message to a computer address, a telephone call with a message (if answered), a message on a pager, and a message to a person's television address." ('318, Col. 5, ll. 61-65). "Moreover, vehicle tracking, the BSCU, a computer network (e.g., the Internet), and software located on a user computer may be

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				combined in a plurality of configurations for launching and communicating a message of the impending arrival of a particular vehicle before it arrives. Significantly, the computer message is to advise of the impending arrival and preferably will exhibit a distinctive display and/or sound on the recipient computer so that the recipient is informed of the message." ('318, Abstract.) "Additionally, individuals already try to project the arrival of a vehicle or package by online package tracking services provided by commercial delivery companies, such as the United Parcel Service (UPS), Federal Express (FED-X), and others. Although traditional methods used in determining when a vehicle are to arrive at a stop is

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				effective in some cases, a more precise method using a pre-warning message can be more helpful in providing accurate information." ('318, Col. 2, ll. 33-40.) "FIG 3 is a high level flow chart diagram of the advance notification system of the present invention as applied to a delivery truck system, as indicated in this diagram, the advance notification system generally includes a vehicle monitoring process for determining the location of vehicle's remotely, a messaging component for sending electronic messages when a vehicle reaches a predetermined point prior to the arrival at a person's stop, and a person's computer connected to a network (e.g., Internet) for receiving and displaying an impending arrival message. ('318, Col. 5, ll. 38-47.)

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				"FIG 4 is a high level flow chart diagram for determining when to use a second method of sending an impending arrival message to a person." ('318, Col. 5, ll. 48-50.) "The diagram show the options for receiving impending arrival messages as a message to a computer address, . . " ('318, Col. 5, ll. 61-63.) "FIG 6 is a high level flow chart diagram for activating an impending arrival message when electronic mail (E-Mail) is received on a person's computer or at a person's computer address. An impending arrival message in the form of an electronic message or more commonly known as E-Mail, activates additional software, . . ." ('318, Col. 5, ln. 66 –

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				Col. 6, ln. 4.) ". . . designed to send a user's computer address a message when a vehicle is approaching . . ." ('318, Col. 6, ll. 11-12.) "when the vehicle is approaching" ('318, Col 6, ll. 23; 34; 51-52.) "impending arrival messages" ('318, Col. 7, ll. 15-16; 18-19; 50-52; 55-56; Col. 8, ll. 23-25; 29-33; 49-51; 58-63; Col. 9, ll. 3; 8; 12; 18; 24; 33; Col. 10, ll. 5-10; 12-13; 14-15; 25-30.) "The system 10 could be configured to send an electronic message to a prospective users' network address, thus warning of the impending arrival of a vehicle 19, as opposed to sending data to activate a user computer equipped with

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				additional software for displays and audio warning." '318, Col. 15, ll. 6-10.) "The Person's Computer 29 linked to a computer network is for receiving impending arrival messages when vehicles are approaching." ('318, Col. 15, ll. 51-53; 53-63.)
6. "predetermined scheduled arrival time"	establishing, in advance, a planned time to reach a destination	'318, Abstract; Figs. 3-20, 22, 25, 33-35; col. 3:7- 5:10, col. 11:24 – 12:60, col. 13:12 – 14:38, col. 15:37 - 16:56, col. 17:63 – 19:8, col. 19:58 – 20:63, col. 21:12 – 22:45, col. 22:34 – 25:19, col. 25:48 – 26:63, col. 28:66 - 29:60, col. 31:4 – 32:38, col. 32:41 – 33:36, col. 33:39 - 35:32, col. 35:38 – 37:3, col. 37:59 – 67, col. 38:34-49 and The American Heritage College Dictionary, 3rd, 1997	A time, in minutes and/or hours, indicative of a planned or expected arrival of a vehicle at a vehicle stop	FIGs. 1, 2, 3, 6, 14, 15, 16, 18, 19, 21, 23, 24, 25, 26, 27, 32, 33, 34, 45, 46, and 47 and accompanying text. "FIG. 32 is a diagram and example of an on-screen display for providing the user with a choice of different type notification messages based on the type or category of selected vehicles. This allows (if optioned) the user, as an example, to receive an impending arrival message from a school bus when the school bus is five minutes

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				away and an impending arrival message from a delivery truck when the vehicle is two miles away." ('318, Col. 8, ll. 55-62) "Thus, generally, it would be desirable for a user to know when a vehicle (such as a bus, truck, train, plane, user, or the like) is (a) a particular time period (for example, number of minutes or seconds) away from arriving at a destination, (b) a particular distance (for example, number of miles or height) away from the destination, or (c) at a particular location among a set of location points, so that the user can adjust his/her schedule and avoid arriving too early or too late." ('318, Col. 2, ll. 46-54.) "In accordance with a significant feature of the present invention, the

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				computer network is used to advise users of a vehicle's impending arrival. Moreover, a user computer may display an impending time of arrival, distance to be traveled before arriving and the vehicle's actual location on a map when the vehicle reaches a predetermined location." ('318, Col. 4, ll. 59-63). "While the route is in progress, the BSCU 14 can determine from the mapping software, current route data, and past recorded route data, when to send a VCU 12 a request to use cycle communication. Moreover, in the situation where the delivery vehicle VCU 12 has stopped sending vehicle 19 location communication to the BSCU 14, as requested by the BSCU 14 or in-between communication cycles from the VCU 12, the

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				BSCU 14 can determine the estimated vehicle 19 location from past routes, delivery lists, mapping software, and additional road/traffic monitoring systems for controlling the communication of the VCU 12. When the vehicle 19 has reached a cycle completion, predetermined by location or time and known by the BSCU 14 and VCU 12, a communication link to the BSCU 14 is not necessarily made at this time. As the communication method is changed back to route comparison 14a (FIG. 15), if the vehicle's planned route location 140a matches it's actual route location, communication to the BSCU 14 is not needed. Essentially, the communication methods are controlling the overall communication loading needed for vehicle 19 location and messaging

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				associated with the vehicle 19 location between the BSCU 14 and the VCU 12. To better understand clock cycles: clock cycles are time (minutes/seconds) lapses or distance lapses for particular location points (longitude/latitude numbers from GPS) or actual miles, and are started, controlled (more/less), and used for decreasing communication from a delivery vehicle VCU 12 to the BSCU 14." ('318, Col. 31, ln. 52- Col. 32, ln. 12.) "A second method for a user to learn of the impending arrival information of a package delivery may be accomplished by a user accessing and requesting information through a computer network, for instance, the Internet, from the BSCU 14 through an Internet site or home page.

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				The BSCU 14 software is designed to be added to the existing Internet site pages, which are owned and operated by delivery companies. When a user accesses a computer address (e.g. Internet site), the user may enter requests for a delivery by entering their telephone number, business or home address, or package identification number, for locating actual packages for delivery. If a delivery is to be made that day, an actual route list from each vehicle 19 stored in the BSCU 14 is compared to the planned route and scheduled time of delivery (STD) database. The STD is a record of events from other routes, this record averages the time and distance to be traveled with the actual route in progress. Note: the STD records are from GPS sensor readings and the time between or

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				travel time between each reading and not from completed routes from start to finish. Thus, by incorporating the STD with the actual delivery schedule, estimated time of delivery is established and accessible to a user requesting delivery schedule information. The advantages of offering a user a close approximate time of delivery are easily seen in these examples: a user needing to leave a delivery stop (home or business) for lunch or errands and expecting an important package to be delivered, or a user needing materials for an important meeting and knowing if the materials will be delivered before the scheduled meeting time. Upon receiving the information request from a user computer linked to the BSCU 14, a request for a

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				vehicle, package, or user location (street address/location on a map), telephone number, computer address, etc. can be made available to the user to locate an area in which a delivery is going to be made. The vehicle 19 associated with the delivery to this user business, or package identification number processes that delivery request. If a package is scheduled for delivery, the actual delivery vehicle 19 estimated time of arrival is given to the user requesting the information in, but not limited to, two formats, a time of day (e.g., 1:45PM) format and/or a time count down (e.g., 4:21:03) format. ('318, Col. 26, ll. 1-42.)
7. "permitting the party to define one or more preferences criteria"	allowing the user to select one or more conditions	'318, Abstract; Figs. 1, 2, 6, 18, 26, 31, 50; col. 3:7- 5:10, col. 13:23 – 38, col. 15:24 – 36, col. 15:48 – 64, col. 17:11-48, col. 18:22 – 29,	To make possible for a user to identify either a geographic location or a specific point in time in relation to a vehicle stop and	"The user places road markers FIG. 38, a circle perimeter FIG. 36, a grid perimeter FIG. 37, which allows the vehicle 19 to

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
		col. 20:40 – 62, col. 21:16 – 32, col. 25:17 – 38, col. 28:18-41, col. 32:41 – 33:35, col. 36:16 - 37:67, col. 38:58-64, col. 39:16-18 and The American Heritage College Dictionary, 3rd, 1997	associated with the future travel of a vehicle	determine actual points at each road for a message of the impending arrival of a vehicle 19, etc. The actual vehicle location activates the impending arrival message when the location matches the selected choice from the user preference data base." ('318, Col. 20, ll. 15-21). "The actual vehicle location activates the impending arrival message when the location matches the selected choice from the user preference data base. Furthermore, the actual order of vehicle 19 stops may be used to determine if the vehicle 19 is entering a selected area on more than one occasion. This comparison provides a distinct advantage by increasing the accuracy of a vehicle 19 impending arrival message by sending the message after the last entry

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				of a vehicle 19 into the user-predefined area. Another advantage of comparing the delivery order list to the user defined areas for notification is the addition of the number of deliveries before reaching the user stop to the impending arrival message, e.g., "UPS has 3 packages for delivery and is 1 mile from your stop at this time. The vehicle has 2 other stops before reaching your location". While the delivery vehicle 19 actual locations are compared to the existing travel time and distances (FIG. 15), the BSCU 14 is also storing actual location events (time between longitude and latitude or Universal Transverse Mercator (UTM) grid system information points) for averaging with the planned route/travel time over distances. When the BSCU

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				14 begins sending messages to user computers 29 at a predefined time, distance, location, and/or prior stop, for the impending arrival of a delivery vehicle 19, each particular user computer 29 receives an electronic message and is displayed on their screen, as indicated in flow chart block 145a (FIG. 16). In one example, as shown in FIG. 16, at waypoint number 20 (140c) along the delivery route, the BSCU 14 places a message (144c) to a user computer 29 at waypoint 30 (140d) of the delivery vehicle 19 actual location. A second example in FIG. 16, shows a user being notified when the vehicle 19 is one mile away (144d) 14c from waypoint 30 (144d). The third example in FIG. 16, shows a user being notified when the vehicle is at a redefined street location (144b). This is accomplished

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				by comparing street mapping software with included longitude/latitude or Universal Transverse Mercator (UTM) grid system information coordinates, notification requests, and the (BSCU) 14 vehicle location data base (VLDB). As shown in the configurations (FIGS. 15 and 16), time is used to cross reference travel between locations. Determining vehicle location 19, between communication updates, is achieved by comparing times of prerecorded route information, actual live traffic monitoring systems, and statistical data." ('318, Col. 20, ll. 19-62). "Additionally, preferences for activation of advance noti-fication warnings are shown in FIGS. 33, 34, 35, 36, 37, and 38. After a preference is selected from the end user,

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				the data is normally placed into the Notification Data Base (NDB) 14c after calculations have been made from the address entered into the BSCU computer 32 (FIG. 1) from a network connection as shown in FIGS. 30 and 31, or ANS software residing on their computer, with or without a network connection." ('318, Col. 20, ln. 63 – Col. 21, ln. 4). "Moreover, the particular time, distance, location, and/or stop are fully programmable by the user (person receiving an impending arrival message), and/or by the company providing the service. Programming and user options are discussed in more detail in the Computer Messaging Control Process area." ('318, Col. 33, ll. 1-6).

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				"The methods used for signing up and providing the system with messaging preferences is accomplished with software on a person's computer 29 or in the preferred embodiment, linked to a remote computer site FIG. 29. By linking to the site, a person wanting to sign up may download software 380 (FIG. 29) to save online time, or sign up from a connection to a remote site 381. The user can only subscribe and make changes from the site to be notified 382, FIG. 30, and the computer address is given before this screen (not shown). This allows the advance notification system to have a level of security. The person is prompted to enter a telephone number 383, then a mailing address 384. This information is stored and compared to mapping software for placing the

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				person's address on a map for display 385b, FIG. 31. After the information is displayed 385b, the user is prompted to agree with the location or choose the next one from a list 386, until their location on a map is agreed upon. The next area allows the user to select different activation and messaging methods for different vehicles 387, FIG. 32. When the same for vehicles in a particular category 389, or each vehicle is different 390, display screens shown as illustrations in FIG. 33 through FIG. 39 are looped for each vehicle/group selected. The next screen prompt asks, "when you would like to be notified?"392 (FIG. 33) and options for time before arriving 393, distance before arriving 394, or at a location/s of choice 395. When a person entering time before vehicle 19 arrives for notification, the next screen

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				(FIG. 34) allows the minutes and seconds before a stop to be selected. When a person enters distance before a vehicle 19 arrives for an impending arrival message (FIG. 35), the distance can be selected as shown. When a person selects to define a particular area for impending arrival activation, the person can choose a circle around their home/business, as shown in FIG. 36. The circle can be adjusted by pulling the edge with a computer mouse left button held down and releasing when the circle is at a desired size. The activation points are the edges of the circle and/or areas with streets. The next option for selecting an area is the grid perimeter/s (FIG. 37). The actual squares (or other shapes) can be clicked with the left button on a mouse for highlighting areas and adjusting the highlighted

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				areas with the slide bars at the bottom or right for precise positioning for activating impending arrival messages. The next option is placing street markets (FIG. 38) on roads and highways for activation points for impending arrival messaging. The street markers are positioned with a computer's mouse, normal drag and drop operations onto actual areas." ('318, Col. 36, ll. 23-67).
8. "vehicle progress report"	an account of a vehicle's progress	'320, Abstract; Figs. 1-20, 22, 23, 25, 33-39; col. 2:46 – col. 4:49, col. 10:37 – 17:13, col. 17:17 – 18:25, col. 19:6 – 20:67, 21:22 – 23:62, col. 24:19 – 25:61, col. 27:56 – 32:14, col. 32:16 – 38, col. 32:59 – 34:11, 34:13 – 36:20 and The American Heritage College Dictionary, 3rd, 1997	(1) lacks written description; (2) a timetable of actual travel progress of a vehicle including geographic positions and corresponding times	"FIG. 9 is another high level modular diagram of the overall operation of the advance notification system described as system configuration and necessary to show the differences of individual modular configuration preferences of different systems. Additionally, this configuration is a simple diagram of an advance notification system, designed to send a message about the

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				next stop to a users computer as the last delivery (prior to the impending stop) is made and thus notify the user via a message on a computer screen and audio means, when a vehicle is approaching." ('359, Col. 4, ll. 24-33.) "FIG. 16 is a diagram of an event schedule for sequencing and activating of impending arrival messages from predetermined locations, time before arrival and distance before arrival of a particular vehicle." ('359, Col. 5, ll. 18-21.) FIG. 27 is a table used for determining activation points for impending arrival messages. The roads and locations are normally taken from past records and mapping software for placing a user's request at particular location points associated

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				with a distance, time, or other location activation areas for starting an impending arrival message. ('359, Col. 6, ll. 23-28.) FIG. 28 is a graphic of a map showing impending arrival activation points when a user request is compared with distance, time, or locations, for activating an impending arrival message/s. ('359, Col. 6, ll. 29-32.) FIG. 50 is a high level flow chart diagram of a method for receiving impending arrival messages through a satellite television link or cable television link, and displaying the impending arrival information on a person's television. ('359, Col. 8, ll. 31-34.) "While the delivery vehicle actual locations are compared to the existing

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				travel time and distances (FIG. 15), the BSCU 14 is also storing actual location events (time between longitude and latitude or Universal Transverse Mercator (UTM) grid system information points) for averaging with the planned route/travel time over distances. When the BSCU 14 begins sending messages to user computers at a predefined time, distance, location, and/or prior stop, for the impending arrival of a delivery vehicle 19, each particular user computer 36 receives an electronic message and is displayed on their screen, as indicated in flow chart block 145a (FIG. 16). In one example, as shown in FIG. 16, at waypoint number 20 (140c) along the delivery route, the BSCU 14 places a message (144c) to a user computer at waypoint 30 (140d) of the

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				delivery vehicle actual location. A second example in FIG. 16, shows a user being notified when the vehicle is one mile away (144d) from waypoint 30 (144d). The third example in FIG. 16 shows a user being notified when the vehicle is at a predefined street location (144b). This is accomplished by comparing street mapping software with included longitude/latitude or Universal Transverse Mercator (UTM) grid system information coordinates, notification requests, and the (BSCU) 14 vehicle location data base (VLDB). As shown in the configurations (FIGS. 15 and 16), time is used to cross reference travel between locations. Determining vehicle location, between communication updates, is achieved by comparing times of prerecorded route

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				information, actual live traffic monitoring systems, and statistical data." ('359, Col. 18, ll. 13-41.) "Additionally, preferences for activation of advance notification warnings are shown in FIGS. 33, 34, 35, 36, 37, and 38. After a preference is selected from the end user, the data is normally placed into the Notification Data Base (NDB) 14c after calculations have been made from the address entered into the BSCU computer from a network connection as shown in FIGS. 30 and 31, or ANS software residing on their computer, with or without a network connection. The other calculation of information is in finding an actual longitude/latitude or Universal Transverse Mercator (UTM) grid system

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				information coordinate of each home, business, street address, or most other places on the earth's surface, which can be found with existing mapping software. The Universal Transverse Mercator (UTM) is one grid system that eases the conversion of GPS readings to map data. Another example compares the list of stops with the vehicle location and determines the last occurrence before the delivery vehicle will cross the predefined marker points to activate the impending arrival message. Additionally, the BSCU 14 adjusts its messaging activation to an actual stop point at each user stop. This allows each user to be notified in accordance with the selected predefined time,

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				distance, location and/or last stop, for example, "The XYZ Delivery Company truck is currently at the corner of Delk Road And Peachtree Street and is approaching your stop" block 415 (FIG. 18). A second message 419 (FIG. 18) will also be sent when the vehicle is detained outside of the predefined system preferences for being late for a stop after sending the initial message 415. Furthermore, in this configuration, a third message is sent as the vehicle arrives at the stop 424. The Flow Chart 399 (FIG. 18) shows an example of the messaging sequence from the BSCU to each user. The example also shows the activation methods used for determining when a vehicle is late and a second and/or third message should be activated and sent to the person's computer. However,

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				when the BSCU 14 determines that the delivery vehicle 19 is excessively late after notifying an individual of an impending arrival at a particular stop, the BSCU 14 resets the message for a route update sequence (FIG. 17) that informs the user of an unexpected occurrence (e.g. a traffic jam), as indicated at flow chart block 399 (FIG. 18). The planned route (FIG. 17) 401 is updated by the actual route information when the preferences 403 are exceeded and the actual time exceeding the predefined limits 406 are reached. The route update is complete when the new actual time 402 resets the planned time associated with the location of the vehicle. The route timing update is shown in block 404 (FIG. 17). After each route update, a message update routine determines if an end user needs a second

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				or third message. The activation of a second message is normally determined by the planned location predefined limit 403, or an individual limit predefined for sending a second or third message. The illustration (FIG. 17) 406 shows an automatic sequence for activating a second message 405 and sending a second message 405b, when each route is reset. A more detailed description (FIG. 18) 399 shows how the activation of a second message is determined." ('359, Col. 18, ll. 42 – Col. 19, ll. 32.)
9. "data pertaining to travel status"	information related to travel status	'320, Abstract; Figs. 1-20, 22, 23, 25, 33-39; col. 2:46 – col. 4:49, col. 10:37 – 17:13, col. 17:17 – 18:25, col. 19:6 – 20:67, 21:22 – 23:62, col. 24:19 – 25:61, col. 27:56 – 32:14, col. 32:16 – 38, col. 32:59 – 34:11, 34:13 – 36:20 and The American Heritage	Geographical information relating to a live vehicle location	FIGs. 3, 15, 16, 18, 19, 21, 23, 24, 25, 45, 46, and 47 and accompanying text. "In essence, the computer messaging process 202 uses the vehicle location information 25 retrieved from the VCU 12 by the

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		College Dictionary, 3rd, 1997		vehicle communications process 18a in order for the BSCU 14 to send computer messages of the approaching delivery vehicle 19." ('318, Col. 32, ll. 43-48). "Moreover, actual onscreen video and audio associated with the advance notification warning can be stored on a person's computer **29,** with activation by a vehicle's 19 location as it reaches a predefined location, time, or prior stop." ("318, Col. 16, ll. 19-25). "The live vehicle 19 location information is made acces-sible through the Vehicle Location Data Base (VLDB) 14a. The (VLDB) 14a also analyzes route data by averaging past routes with time from one location to the next. Time of day, day of week and month are also determining factors needed

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				for determining the average travel time from one location to the next." ('318, Col. 16, ll. 26-32). "The Base Station Control Unit (BSCU) 14 sends vehicle location to the Person's Computer (PC) **29** when a predefined time period expires, the estimated vehicle 19 location is not correct with the actual vehicle 19 location, when a vehicle 19 sensor is activated, or when loading or capacity allows for communication to take place." ('318, Col. 16, ll. 42-47). "FIG. 9 and FIG. **10** are illustrations of an advance notification system 10 configuration without the use of a Global Positioning System (GPS) sensor 25a as shown in FIGS. 1, 2, 7, and 8. These configurations illustrate a

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				system **10** for notifying a Person's Computer (PC) **29** by tracking vehicles' 19 package delivery attempts, by monitoring User Input Controls (UIC) 21a and each truck's Route List with order of delivery (RL) 21b. By monitoring each vehicle's 19 attempted delivery and the particular route order, advance notification can be set for a prior stop, a particular estimated location using mapping software and/or past records of vehicle 19 times associated with package delivery stops and time there between." ('318, Col. 16, ln. 57- Col. 17, ln. 2). "The actual vehicle 19 number (which delivers or picks up a package from a business or resident, and not necessarily mid-point vehicles) and package addresses are recorded into

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				the BSCU 14 when packages are sorted to a specific delivery vehicle 19 or are entered into the BSCU **14** by the user sending or receiving the package. Additional vehicle 19 stops may be added when requests to pickup packages are received. The request to pickup a package can be downloaded to the VCU **12,** with a display for the driver to accept or return for another driver or time/day. If the vehicle 19 driver enters route or package data (the order of delivery, packages, or changes from a computer generated delivery list), the data is then uploaded to the BSCU 14. The timing and package delivery locations are recorded in the BSCU 14 during the initialization of the system 10 and used as a reference for determining locations from impending arrival message points. This

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				information accesses the computer network to inform a user computer 29 when a delivery vehicle 19 is at a predetermined time, mileage, street location, and/or last delivery away from a vehicle 19 stop. In the preferred embodiment, determining the location of a delivery vehicle 19 is accomplished by sending the vehicle location of a delivery vehicle 19 from the time the vehicle 19 departs and/or starts its route. The timing information is recorded during the initialization and daily recording of vehicle locations with time, and the system 10 is used as a reference during the usual operation of the system **10** for the purpose of determining whether a delivery vehicle 19 is at a predetermined location or time from a delivery stop. Other reference information

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				may be obtained from software for mapping, for example, streets, vehicle speed limits, and traffic flow." ('318, Col. 18, ll. 5-38). "The actual vehicle location activates the impending arrival message when the location matches the selected choice from the user preference data base. Furthermore, the actual order of vehicle 19 stops may be used to determine if the vehicle 19 is entering a selected area on more than one occasion. This comparison provides a distinct advantage by increasing the accuracy of a vehicle 19 impending arrival message by sending the message after the last entry of a vehicle 19 into the user-predefined area. Another advantage of comparing the delivery order list to the user

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				defined areas for notification is the addition of the number of deliveries before reaching the user stop to the impending arrival message, e.g., "UPS has 3 packages for delivery and is 1 mile from your stop at this time. The vehicle has 2 other stops before reaching your location". While the delivery vehicle 19 actual locations are compared to the existing travel time and distances (FIG. **15),** the BSCU 14 is also storing actual location events (time between longitude and latitude or Universal Transverse Mercator (UTM) grid system information points) for aver-aging with the planned route/travel time over distances. When the BSCU 14 begins sending messages to user computers 29 at a predefined time, distance, location, and/or prior stop,

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				for the impending arrival of a delivery vehicle 19, each particular user computer 29 receives an electronic message and is displayed on their screen, as indicated in flow chart block 145a (FIG. **16).** In one example, as shown in FIG. **16,** at waypoint number **20** (140c) along the delivery route, the BSCU 14 places a message (144c) to a user computer 29 at waypoint **30** (140d) of the delivery vehicle 19 actual location. A second example in FIG. **16,** shows a user being notified when the vehicle 19 is one mile away (144d) 14c from waypoint **30** (144d). The third example in FIG. **16,** shows a user being notified when the vehicle is at a redefined street location (144b). This is accomplished by comparing street mapping software with included longitude/latitude or Universal Transverse

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				Mercator (UTM) grid system information coordinates, notification requests, and the (BSCU) 14 vehicle location data base (VLDB). As shown in the configurations (FIGS. **15** and 16), time is used to cross reference travel between locations. Determining vehicle location 19, between communication updates, is achieved by comparing times of prerecorded route information, actual live traffic monitoring systems, and statistical data." ('318, Col. 20, ll. 19-62).
10. "to predefine"	Prespecify	'359, Abstract; Figs. 3-20, 22, 23, 25, 33-35; col. 2:62 - 3:10, col. 18:42-56, col.29:50 – 30:42, col. 32:39 – 35:7 and The American Heritage College Dictionary, 3rd, 1997	To initially set the conditions for	FIG 4, 5, 16, 17, 29-39 and accompanying text "The Base Station Control Unit (BSCU) 14 sends vehicle location to the Person's Computer (PC) 29 when a predefined time period expires, the estimated vehicle 19 location is not correct with the actual

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				vehicle 19 location, when a vehicle 19 sensor is activated, or when loading or capacity allows for communication to take place." ('318, Col. 16, ll. 42-47). "The live vehicle 19 location information is made accessible through the Vehicle Location Data Base (VLDB) 14a. The (VLDB) 14a also analyzes route data by averaging past routes with time from one location to the next. Time of day, day of week and month are also determining factors needed for determining the average travel time from one location to the next. The protocols used for the computer network communication between the modules located on a person's computer 29 and the modules located at a BSCU14 for vehicle location 14a are normally as follows. (a) The Person's Computer

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				(PC) **29** contacts the Base Station Control Unit's (BSCU) 14 Vehicle Location Data Base (VLDB) 14a (FIGS. 7-10) when vehicle 19 location is needed for monitoring a vehicle 19 for an advance notification warning. Timing cycles are used for vehicle 19 location updates, and preferences can be set for communication optimization. (b) The Base Station Control Unit (BSCU) 14 sends vehicle location to the Person's Computer (PC) **29** when a predefined time period expires, the estimated vehicle 19 location is not correct with the actual vehicle 19 location, when a vehicle 19 sensor is activated, or when loading or capacity allows for communication to take place. Additionally, vehicle 19 location information can be sent over a computer network and/or Internet at predefined times

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				and automatically received by each Person's Computer (PC) **29** that is linked to the computer network/Internet. A particular vehicle's location, in-between communication cycles, is established by past vehicle location records and average time needed to travel from one location to the next. Moreover, some configurations only update vehicle 19 locations at a predefined time of day." ('318, Col. 16, ll. 26-56). "The actual vehicle location activates the impending arrival message when the location matches the selected choice from the user preference data base. Furthermore, the actual order of vehicle 19 stops may be used to determine if the vehicle 19 is entering a selected area on more than one occasion. This

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				comparison provides a distinct advantage by increasing the accuracy of a vehicle 19 impending arrival message by sending the message after the last entry of a vehicle 19 into the user-predefined area. Another advantage of comparing the delivery order list to the user defined areas for notification is the addition of the number of deliveries before reaching the user stop to the impending arrival message, e.g., "UPS has 3 packages for delivery and is 1 mile from your stop at this time. The vehicle has 2 other stops before reaching your location". While the delivery vehicle 19 actual locations are compared to the existing travel time and distances (FIG. 15), the BSCU 14 is also storing actual location events (time between longitude and latitude or

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				Universal Transverse Mercator (UTM) grid system information points) for aver-aging with the planned route/travel time over distances. When the BSCU 14 begins sending messages to user computers 29 at a predefined time, distance, location, and/or prior stop, for the impending arrival of a delivery vehicle 19, each particular user computer 29 receives an electronic message and is displayed on their screen, as indicated in flow chart block 145a (FIG. 16). In one example, as shown in FIG. 16, at waypoint number 20 (140c) along the delivery route, the BSCU 14 places a message (144c) to a user computer 29 at waypoint 30 (140d) of the delivery vehicle 19 actual location. A second example in FIG. 16, shows a user being notified when the vehicle 19 is one mile away

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				(144d) 14c from waypoint 30 (144d). The third example in FIG. 16, shows a user being notified when the vehicle is at a redefined street location (144b). This is accomplished by comparing street mapping software with included longitude/latitude or Universal Transverse Mercator (UTM) grid system information coordinates, notification requests, and the (BSCU) 14 vehicle location data base (VLDB). As shown in the configurations (FIGS. 15 and 16), time is used to cross reference travel between locations. Determining vehicle location 19, between communication updates, is achieved by comparing times of prerecorded route information, actual live traffic monitoring systems, and statistical data." ('318, Col. 20, ll. 19-62).

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				"While the delivery vehicle actual locations are compared to the existing travel time and distances (FIG. 15), the BSCU 14 is also storing actual location events (time between longitude and latitude or Universal Transverse Mercator (UTM) grid system information points) for averaging with the planned route/travel time over distances. When the BSCU 14 begins sending messages to user computers at a predefined time, distance, location, and/or prior stop, for the impending arrival of a delivery vehicle 19, each particular user computer 36 receives an electronic message and is displayed on their screen, as indicated in flow chart block 145a (FIG. 16). In one example, as shown in FIG. 16, at waypoint number 20 (140c) along the delivery route, the

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				BSCU 14 places a message (144c) to a user computer at waypoint 30 (140d) of the delivery vehicle actual location. A second example in FIG. 16, shows a user being notified when the vehicle is one mile away (144d) from waypoint 30 (144d). The third example in FIG. 16 shows a user being notified when the vehicle is at a predefined street location (144b). This is accomplished by comparing street mapping software with included longitude/latitude or Universal Transverse Mercator (UTM) grid system information coordinates, notification requests, and the (BSCU) 14 vehicle location data base (VLDB). As shown in the configurations (FIGS. 15 and 16), time is used to cross reference travel between locations. Determining vehicle location, between

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				communication updates, is achieved by comparing times of prerecorded route information, actual live traffic monitoring systems, and statistical data." ('359, Col. 18, ll. 13-41.) "The advance notification message is to advise a user of the impending arrival of the vehicle. Preferably, a computer can exhibit a distinctive video and sound so that the message recipient will be informed of the arrival of a vehicle. A user computer may exhibit a display on the monitor or attached television of a video and/or sound, so that the recipient may be notified of the vehicle time of arrival, distance before arriving, particular location, and/or its last stop, all of which are predefined by the user, passenger, or service provider." ('318, Col. 4, ll.

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				50-60.)
11. "proximity"	the closeness as measured by time, distance, location and/or previous stops along a route	'320, Abstract; Figs. 1-20, 22, 23, 25, 33-39; col. 2:46 – col. 4:49, col. 10:37 – 17:13, col. 17:17 – 18:25, col. 19:6 – 20:67, 21:22 – 23:62, col. 24:19 – 25:61, col. 27:56 – 32:14, col. 32:16 – 38, col. 32:59 – 34:11, 34:13 – 36:20 and The American Heritage College Dictionary, 3rd, 1997	Nearby	FIGs, 1-2, 6, 29, 49, 50 and accompanying text.
12. "distance information specified by the user that is indicative of the distance between the vehicle and the location"	distance information identified by the user relating to the distance between the vehicle and a location	'359, Abstract; Figs. 3-20, 22, 23, 25, 33-35; col. 2:62 - 3:10, col. 9:21 – 10:52, col. 11:3 – 12:31, col. 13:28 - 14:45, col. 15:48 – 16:58, col. 17:38 – 18:41, col. 18:57 – 20:19, col. 20:38 – 22:48, col. 23:9 – 24:22, col. 26:17 - 27:11, col. 38:17 – 29:48, col. 29:50 – 30:42, col. 30:44 - 32:37, col. 32:43 – 34:24, col. 34:66 – 35:7 and The American Heritage College Dictionary, 3rd, 1997	A non-zero number input by the user defining a distance separating a vehicle and a location	'359 FIGs. 29-39, 49 and accompanying text Fig. 33 "Distance before arrival allows you to enter the amount of miles before a vehicle arrives." Fig. 35 "Please Enter A Vehicle's Distance (miles) From Your Home or Office You Would Like To Be Notified! Please Enter A Distance For Advance Warninig. How much distance away from your home or office do you need, before the vehicle arrives?"

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				"Fig. 35 is a diagram and example of an on-screen display for adjusting the amount of distance before a vehicle arrives to send an impending arrival message." ('359, Col. 7, ll. 6-8.) "It appears that Schmier teaches that a person may inquire into the arrival time and seat availability of buses before the buses arrive at stops by entering a route identification. However, Schmier does not teach that the user can establish one or more events during a first communication link wit the host computer system that influence triggering of the notification communication, *i.e.*, the second communication link from the host computer system to the remote communications device. Furthermore, Schmier does not disclose or

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				teach that the user/subscriber can "predefine" one or more events that are "indicative that the vehicle is due to arrive earlier or later at the location than anticipated." For at least these reasons, independent claim 1 is allowable over Schmier." ('359 Response to First Office Action, p. 11.) "It appears that Champion teaches a service for automatically watching the conditions along preselected routes and establishing contact with the subscriber to inform the subscriber of changes along traffic routes so the subscriber can take appropriate steps ot avoid areas of congestion. Column 5, lines 57-65. However, Champion does not disclose or teach that the user/subscriber can "predefine" one or more events that are "indicative

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				that the vehicle is due to arrive earlier or later at the location than anticipated." The subscriber of Champion merely inputs the routes that are of interest. Furthermore, Champion does not teach "analyzing data indicative of travel of the mobile vehicle." Champion apparently monitors situations along routes that will affect traffic flow. It is clear from Champion that no attempt is made to actually track individual vehicles." ('359 Response to First Office Action, p.12-13.)
13. "location information specified by the user that is indicative a location or region that the vehicle achieves during travel"	location information identified by the user relating to a location or region that the vehicle achieves during travel	'359, Abstract; Figs. 3-20, 22, 23, 25, 33-35; col. 2:62 - 3:10, col. 9:21 – 10:52, col. 11:3 – 12:31, col. 13:28 - 14:45, col. 15:48 – 16:58, col. 17:38 – 18:41, col. 18:57 – 20:19, col. 20:38 – 22:48, col. 23:9 – 24:22, col. 26:17 - 27:11, col. 38:17 – 29:48, col. 29:50 – 30:42, col. 30:44 - 32:37, col. 32:43 – 34:24,	A perimeter, street marker, stop on a route, or latitude/longitude input by the user defining a location that a vehicle achieves during travel prior to arriving at the location	'359- FIGs. 29-39 and accompanying text Fig. 33 "Vehicle location allows you to enter exact location/s on a map you want to be notified when the vehicle passes." FIGs. 36, 37, and 38 "Define Area/s That You Want To Be

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		col. 34:66 – 35:7 and The American Heritage College Dictionary, 3rd, 1997		Notified When A Vehicle Enters!" "Fig. 36 is a diagram and example of an on-screen display for adjusting a predefined area for activation of an impending arrival message. This illustration is for setting a circle perimeter around a stop or location. The activation points are at the outside areas of the circle and matching road/street addresses." ('359, Col. 7, ll. 11-16.) "Fig. 37 is a diagram and example of an on-screen display for adjusting a predefined area for activation of an impending arrival message. This illustration is for setting a grid perimeter around a stop or location. The activation points are at the outside areas of the grid area/s and matching

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				road/street addresses." ('359, Col. 7, ll. 17-22.) "Fig. 38 is a diagram and example of an on-screen display for adjusting a predefined area for activation of an impending arrival message. This illustration is for setting a perimeter around a stop or location by placing street markers onto a map roads and streets. The activation points are the street markers located at the road/street addresses. Additionally, (not shown) all roads/street markers should close a perimeter around a users home or business." ('359, Col. 7, ll. 23-30.) "It appears that Schmier teaches that a person may inquire into the arrival time and seat availability of buses before the buses arrive at stops by entering a route identification. However,

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				Schmier does not teach that the user can establish one or more events during a first communication link wit the host computer system that influence triggering of the notification communication, *i.e.*, the second communication link from the host computer system to the remote communications device. Furthermore, Schmier does not disclose or teach that the user/subscriber can "predefine" one or more events that are "indicative that the vehicle is due to arrive earlier or later at the location than anticipated." For at least these reasons, independent claim 1 is allowable over Schmier." ('359 Response to First Office Action, p. 11.) "It appears that Champion teaches a service for automatically watching the

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				conditions along preselected routes and establishing contact with the subscriber to inform the subscriber of changes along traffic routes so the subscriber can take appropriate steps ot avoid areas of congestion. Column 5, lines 57-65. However, Champion does not disclose or teach that the user/subscriber can "predefine" one or more events that are "indicative that the vehicle is due to arrive earlier or later at the location than anticipated." The subscriber of Champion merely inputs the routes that are of interest. Furthermore, Champion does not teach "analyzing data indicative of travel of the mobile vehicle." Champion apparently monitors situations along routes that will affect traffic flow. It is clear from Champion that no attempt is made to actually track

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				individual vehicles." ('359 Response to First Office Action, p. 12-13.)
14. "time information specified user that is indicative of a time for travel of the vehicle to the location"	time information identified by the user relating to a time for travel of the vehicle to the location	'359, Abstract; Figs. 3-20, 22, 23, 25, 33-35; col. 2:62 - 3:10, col. 9:21 – 10:52, col. 11:3 – 12:31, col. 13:28 - 14:45, col. 15:48 – 16:58, col. 17:38 – 18:41, col. 18:57 – 20:19, col. 20:38 – 22:48, col. 23:9 – 24:22, col. 26:17 - 27:11, col. 38:17 – 29:48, col. 29:50 – 30:42, col. 30:44 - 32:37, col. 32:43 – 34:24, col. 34:66 – 35:7 and The American Heritage College Dictionary, 3rd, 1997	A non-zero number input by the user defining an amount of time prior to arrival of the vehicle at the location	'359- FIGs. 29-39 and accompanying text Fig. 33 "Time before arrival allows you to enter the amount of minutes before a vehicle arrives." Fig. 34 "Please enter your time for advance warning. How much time do you need, before the vehicle arrives?" "Fig. 34 is a diagram and example of an on-screen display for adjusting the amount of time before a vehicle arrives to send an impending arrival message." '359 patent, col. 7, ll. 1-3. "It appears that Schmier teaches that a person may inquire into the arrival time and seat availability of buses before the buses arrive at

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				stops by entering a route identification. However, Schmier does not teach that the user can establish one or more events during a first communication link wit the host computer system that influence triggering of the notification communication, *i.e.*, the second communication link from the host computer system to the remote communications device. Furthermore, Schmier does not disclose or teach that the user/subscriber can "predefine" one or more events that are "indicative that the vehicle is due to arrive earlier or later at the location than anticipated." For at least these reasons, independent claim 1 is allowable over Schmier." ('359 Response to First Office Action, p. 11.) "It appears that Champion teaches a service for

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				automatically watching the conditions along preselected routes and establishing contact with the subscriber to inform the subscriber of changes along traffic routes so the subscriber can take appropriate steps ot avoid areas of congestion. Column 5, lines 57-65. However, Champion does not disclose or teach that the user/subscriber can "predefine" one or more events that are "indicative that the vehicle is due to arrive earlier or later at the location than anticipated." The subscriber of Champion merely inputs the routes that are of interest. Furthermore, Champion does not teach "analyzing data indicative of travel of the mobile vehicle." Champion apparently monitors situations along routes that will affect traffic flow. It is clear from Champion that no attempt is

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				made to actually track individual vehicles." ('359 Response to First Office Action, p. 12-13.)
15. "a number of one or more stops that the vehicle accomplishes prior to arriving at the location"	a number of one or more stops that the vehicle reaches prior to arriving at the location	'359, Abstract; Figs. 3-20, 22, 23, 25, 33-35; col. 2:62 - 3:10, col. 9:21 – 10:52, col. 11:3 – 12:31, col. col. 15:48 – 16:58, col. 17:38 – 18:41, col. 18:57 – 20:31, col. 21:46 – 22:48, col. 25:41 – 26:16, col. 26:38 - 27:26, col. 28:17 – 29:33, col. 29:50 – 30:42, col. 30:44 - 32:37, col. 32:43 – 34:24 and The American Heritage College Dictionary, 3rd, 1997	A non-zero number input by the user defining the number of stops on a predetermined route prior to arrival of the vehicle at the location	'359 FIGs. 9, 10, 14, 15, 16, 17, 20, 29-39(see "prior stop" in 36), 40, 41, 42, 43, 44, 46 and accompanying text. "Fig. 9 . . .this configuration is a simple diagram of an advanced notification system, designed to send a message about the next stop to a users computer as the last delivery (prior to the impending stop) is made and thus notify the user via a message on a computer screen and audio means, when a vehicle is approaching." ('359 patent, Col. 4, ll. 24-33.) "This system determines vehicle location from a delivery list and acknowledgement of each

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				delivery to the BSCU." ('359 patent, Col. 4, ll. 42-44.) "It appears that Schmier teaches that a person may inquire into the arrival time and seat availability of buses before the buses arrive at stops by entering a route identification. However, Schmier does not teach that the user can establish one or more events during a first communication link wit the host computer system that influence triggering of the notification communication, *i.e.*, the second communication link from the host computer system to the remote communications device. Furthermore, Schmier does not disclose or teach that the user/subscriber can "predefine" one or more events that are "indicative that the vehicle is due to arrive earlier or later at the location than anticipated."

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				For at least these reasons, independent claim 1 is allowable over Schmier." ('359 Response to First Office Action, p. 11.) "It appears that Champion teaches a service for automatically watching the conditions along preselected routes and establishing contact with the subscriber to inform the subscriber of changes along traffic routes so the subscriber can take appropriate steps to avoid areas of congestion. Column 5, lines 57-65. However, Champion does not disclose or teach that the user/subscriber can "predefine" one or more events that are "indicative that the vehicle is due to arrive earlier or later at the location than anticipated." The subscriber of Champion merely inputs the routes that are of interest. Furthermore,

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				Champion does not teach "analyzing data indicative of travel of the mobile vehicle." Champion apparently monitors situations along routes that will affect traffic flow. It is clear from Champion that no attempt is made to actually track individual vehicles." ('359 Response to First Office Action, p. 12-13.)
16. "notification"	something by which notice is given	'359, Abstract; Figs. 3-20, 22, 23, 25, 33-35; col. 2:62 - 3:10, col. 9:21 – 10:52, col. 11:3 – 12:31, col. 13:28 - 14:45, col. 15:48 – 16:58, col. 17:38 – 18:41, col. 18:57 – 20:19, col. 20:38 – 22:48, col. 23:9 – 24:22, col. 26:17 - 27:11, col. 38:17 – 29:48, col. 29:50 – 30:42, col. 30:44 - 32:37, col. 32:43 – 34:24, col. 34:66 – 35:7 and The American Heritage College Dictionary, 3rd, 1997	Message specifying a time of arrival, distance before arriving or geographic location of a vehicle	FIGs 1-2, 6, 14-18, 27-39, 49, 50 and accompanying text. "The advance notification message is to advise a user of the impending arrival of the vehicle." ('318, Col. 4, ll. 50-51; also, 52-58). "The diagrams show the options for receiving impending arrival messages as a message to a computer address, a telephone call with a message (if answered), a message on a pager, and a

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				message to a person's television address." ('318, Col. 5, ll. 61-65). "Moreover, vehicle tracking, the BSCU, a computer network (e.g., the Internet), and software located on a user computer may be combined in a plurality of configurations for launching and communicating a message of the impending arrival of a particular vehicle before it arrives. Significantly, the computer message is to advise of the impending arrival and preferably will exhibit a distinctive display and/or sound on the recipient computer so that the recipient is informed of the message." ('318, Abstract.) "Additionally, individuals already try to project the arrival of a vehicle or package by online package

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				tracking services provided by commercial delivery companies, such as the United Parcel Service (UPS), Federal Express (FED-X), and others. Although traditional methods used in determining when a vehicle are to arrive at a stop is effective in some cases, a more precise method using a pre-warning message can be more helpful in providing accurate information." ('318, Col. 2, ll. 33-40.) "FIG 3 is a high level flow chart diagram of the advance notification system of the present invention as applied to a delivery truck system, as indicated in this diagram, the advance notification system generally includes a vehicle monitoring process for determining the location of vehicle's remotely, a messaging component for sending electronic messages

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				when a vehicle reaches a predetermined point prior to the arrival at a person's stop, and a person's computer connected to a network (e.g., Internet) for receiving and displaying an impending arrival message. ('318, Col. 5, ll. 38-47.) "FIG 4 is a high level flow chart diagram for determining when to use a second method of sending an impending arrival message to a person." ('318, Col. 5, ll. 48-50.) "The diagram show the options for receiving impending arrival messages as a message to a computer address, . . " ('318, Col. 5, ll. 61-63.) "FIG 6 is a high level flow chart diagram for activating an impending arrival message when electronic

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				mail (E-Mail) is received on a person's computer or at a person's computer address. An impending arrival message in the form of an electronic message or more commonly known as E-Mail, activates additional software, . . ." ('318, Col. 5, ln. 66 – Col. 6, ln. 4.) ". . . designed to send a user's computer address a message when a vehicle is approaching . . ." ('318, Col. 6, ll. 11-12.) "when the vehicle is approaching" ('318, Col 6, ll. 23; 34; 51-52.) "impending arrival messages" ('318, Col. 7, ll. 15-16; 18-19; 50-52; 55-56; Col. 8, ll. 23-25; 29-33; 49-51; 58-63; Col. 9, ll. 3; 8; 12; 18; 24; 33; Col. 10, ll. 5-10; 12-13; 14-15; 25-30.)

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				"The system 10 could be configured to send an electronic message to a prospective users' network address, thus warning of the impending arrival of a vehicle 19, as opposed to sending data to activate a user computer equipped with additional software for displays and audio warning." ('318, Col. 15, ll. 6-10.) "The Person's Computer 29 linked to a computer network is for receiving impending arrival messages when vehicles are approaching." ('318, Col. 15, ll. 51-53; 53-63.)
17. "when appropriate"	when appropriate	The American Heritage College Dictionary, 3rd, 1997	When the status of a mobile vehicle in relation to a location is a particular time period (for example a number of minutes or seconds) away from arriving at a destination; a particular distance (for example a	FIGs. 1, 2, 3, 4, 6, 14, 15, 16, 17, 18, 20, 22, 23, 24, 25, 26, 29-39, 46, 49 and accompanying text. "It appears that Schmier teaches that a person may inquire into the arrival time

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			number of miles or height) away from the destination; or at a particular location among a set of location points prior to the destination	and seat availability of buses before the buses arrive at stops by entering a route identification. However, Schmier does not teach that the user can establish one or more events during a first communication link wit the host computer system that influence triggering of the notification communication, *i.e.*, the second communication link from the host computer system to the remote communications device. Furthermore, Schmier does not disclose or teach that the user/subscriber can "predefine" one or more events that are "indicative that the vehicle is due to arrive earlier or later at the location than anticipated." For at least these reasons, independent claim 1 is allowable over Schmier." '359 Response to First Office Action, p. 11.

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				"It appears that Champion teaches a service for automatically watching the conditions along preselected routes and establishing contact with the subscriber to inform the subscriber of changes along traffic routes so the subscriber can take appropriate steps ot avoid areas of congestion. Column 5, lines 57-65. However, Champion does not disclose or teach that the user/subscriber can "predefine" one or more events that are "indicative that the vehicle is due to arrive earlier or later at the location than anticipated." The subscriber of Champion merely inputs the routes that are of interest. Furthermore, Champion does not teach "analyzing data indicative of travel of the mobile vehicle." Champion apparently monitors situations along routes that will affect traffic

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				flow. It is clear from Champion that no attempt is made to actually track individual vehicles." '359 Response to First Office Action, p. 12-13.
18. "the status of a mobile vehicle in relation to a location"	the current information about a mobile vehicle in relation to a location	'359, Abstract; Figs. 3-20, 22, 23, 25, 33-35; col. 2:62 - 3:10, col. 9:21 – 10:52, col. 11:3 – 12:31, col. 13:28 - 14:45, col. 15:48 – 16:58, col. 17:38 – 18:41, col. 18:57 – 20:19, col. 20:38 – 22:48, col. 23:9 – 24:22, col. 26:17 - 27:11, col. 38:17 – 29:48, col. 29:50 – 30:42, col. 30:44 - 32:37, col. 32:43 – 34:24, col. 34:66 – 35:7 and The American Heritage College Dictionary, 3rd, 1997	The location of a vehicle, prior to the arrival of the vehicle at a destination; or the distance, position, or number of stops between a current position of a vehicle and the next stop of the vehicle prior to the arrival of the vehicle at a destination; or the period of time a vehicle is determined to be away from arrival at the destination	Thus, generally, it would be desirable for a user to know when a vehicle (such as a bus, truck, train, plane, user, or the like) is (a) a particular time period (for example, number of minutes or seconds) away from arriving at a destination, (b) a particular distance (for example, number of miles or height) away from the destination, or (c) at a particular location among a set of location points, so that the user can adjust his/her schedule and avoid arriving too early or too late. FIG. 3 is a high level flow chart diagram of the advance notification system of the

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				present invention as applied to a delivery truck system, as indicated in this diagram, the advance notification system generally comprises a vehicle monitoring process for determining the location of vehicle's remotely, a messaging component for sending electronic messages when a vehicle reaches a predetermined point prior to the arrival at a person's stop, and a person's computer connected to a network (e.g., Internet) for receiving and displaying an impending arrival message. "FIG. 9 is another high level modular diagram of the overall operation of the advance notification system described as system configuration and necessary to show the differences of individual modular configuration preferences of

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				different systems. Additionally, this configuration is a simple diagram of an advance notification system, designed to send a message about the next stop to a users computer as the last delivery (prior to the impending stop) is made and thus notify the user via a message on a computer screen and audio means, when a vehicle is approaching." ('359, Col. 4, ll. 24-33.) "FIG. 16 is a diagram of an event schedule for sequencing and activating of impending arrival messages from predetermined locations, time before arrival and distance before arrival of a particular vehicle." ('359, Col. 5, ll. 18-21.) FIG. 27 is a table used for determining activation points for impending arrival

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				messages. The roads and locations are normally taken from past records and mapping software for placing a user's request at particular location points associated with a distance, time, or other location activation areas for starting an impending arrival message. ('359, Col. 6, ll. 23-28.) FIG. 28 is a graphic of a map showing impending arrival activation points when a user request is compared with distance, time, or locations, for activating an impending arrival message/s. ('359, Col. 6, ll. 29-32.) FIG. 33 is a diagram and example of an on-screen display of user options for being notified when a vehicle is at a predetermined time, distance, or particular location. This screen is not shown when a vehicle or

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				company predefines when an impending arrival message is sent. ('359, Col. 6, ll. 63-Col. 6, ll. 67.) FIG. 34 is a diagram and example of an on-screen display for adjusting the amount of time before a vehicle arrives to send an impending arrival message. Additionally, a map can show actual activation points, based on vehicle type/s, if optioned (FIG. 28). ('359, Col. 7, ll. 1-5.) FIG. 35 is a diagram and example of an on-screen display for adjusting the amount of distance before a vehicle arrives to send an impending arrival message. Additionally, a map can show actual activation points, based on vehicle type/s, if optioned (FIG. 28) ('359, Col. 7, ll. 6-10.)

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				FIG. 36 is a diagram and example of an on-screen display for adjusting a predefined area for activation of an impending arrival message. This illustration is for setting a circle perimeter around a stop or location. The activation points are at the outside areas of the circle and matching road/street addresses. ('359, Col. 7, ll. 11-16.) FIG. 37 is a diagram and example of an on-screen display for adjusting a predefined area for activation of an impending arrival message. This illustration is for setting a grid perimeter around a stop or location. The activation points are at the outside areas of the grid area/s and matching road/street addresses. ('359, Col. 7, ll. 17-22.) FIG. 38 is a diagram and

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				example of an on-screen display for adjusting a predefined area for activation of an impending arrival message. This illustration is for setting a perimeter around a stop or location by placing street markers onto a map roads and streets. The activation points are the street markers located at the road/street addresses. Additionally, (not shown) all roads/street markers should close a perimeter around a users home or business. ('359, col. 7, ll. 23-30.) FIG. 50 is a high level flow chart diagram of a method for receiving impending arrival messages through a satellite television link or cable television link, and displaying the impending arrival information on a person's television. ('359, Col. 8, ll. 31-34.)

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				"While the delivery vehicle actual locations are compared to the existing travel time and distances (FIG. 15), the BSCU 14 is also storing actual location events (time between longitude and latitude or Universal Transverse Mercator (UTM) grid system information points) for averaging with the planned route/travel time over distances. When the BSCU 14 begins sending messages to user computers at a predefined time, distance, location, and/or prior stop, for the impending arrival of a delivery vehicle 19, each particular user computer 36 receives an electronic message and is displayed on their screen, as indicated in flow chart block 145a (FIG. 16). In one example, as shown in FIG. 16, at waypoint number 20 (140c) along the delivery route, the

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				BSCU 14 places a message (144c) to a user computer at waypoint 30 (140d) of the delivery vehicle actual location. A second example in FIG. 16, shows a user being notified when the vehicle is one mile away (144d) from waypoint 30 (144d). The third example in FIG. 16 shows a user being notified when the vehicle is at a predefined street location (144b). This is accomplished by comparing street mapping software with included longitude/latitude or Universal Transverse Mercator (UTM) grid system information coordinates, notification requests, and the (BSCU) 14 vehicle location data base (VLDB). As shown in the configurations (FIGS. 15 and 16), time is used to cross reference travel between locations. Determining vehicle location, between

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				communication updates, is achieved by comparing times of prerecorded route information, actual live traffic monitoring systems, and statistical data." ('359, Col. 18, ll. 13-41.) "Additionally, preferences for activation of advance notification warnings are shown in FIGS. 33, 34, 35, 36, 37, and 38. After a preference is selected from the end user, the data is normally placed into the Notification Data Base (NDB) 14c after calculations have been made from the address entered into the BSCU computer from a network connection as shown in FIGS. 30 and 31, or ANS software residing on their computer, with or without a network connection. The other calculation of information is in finding an actual

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				longitude/latitude or Universal Transverse Mercator (UTM) grid system information coordinate of each home, business, street address, or most other places on the earth's surface, which can be found with existing mapping software. The Universal Transverse Mercator (UTM) is one grid system that eases the conversion of GPS readings to map data. Another example compares the list of stops with the vehicle location and determines the last occurrence before the delivery vehicle will cross the predefined marker points to activate the impending arrival message. Additionally, the BSCU 14 adjusts its messaging activation to an actual stop point at each user stop. This

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				allows each user to be notified in accordance with the selected predefined time, distance, location and/or last stop, for example, "The XYZ Delivery Company truck is currently at the corner of Delk Road And Peachtree Street and is approaching your stop" block 415 (FIG. 18). A second message 419 (FIG. 18) will also be sent when the vehicle is detained outside of the predefined system preferences for being late for a stop after sending the initial message 415. Furthermore, in this configuration, a third message is sent as the vehicle arrives at the stop 424. The Flow Chart 399 (FIG. 18) shows an example of the messaging sequence from the BSCU to each user. The example also shows the activation methods used for determining when a vehicle is late and a second and/or

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				third message should be activated and sent to the person's computer. However, when the BSCU 14 determines that the delivery vehicle 19 is excessively late after notifying an individual of an impending arrival at a particular stop, the BSCU 14 resets the message for a route update sequence (FIG. 17) that informs the user of an unexpected occurrence (e.g. a traffic jam), as indicated at flow chart block 399 (FIG. 18). The planned route (FIG. 17) 401 is updated by the actual route information when the preferences 403 are exceeded and the actual time exceeding the predefined limits 406 are reached. The route update is complete when the new actual time 402 resets the planned time associated with the location of the vehicle. The route timing update is shown in block 404 (FIG. 17). After

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				each route update, a message update routine determines if an end user needs a second or third message. The activation of a second message is normally determined by the planned location predefined limit 403, or an individual limit predefined for sending a second or third message. The illustration (FIG. 17) 406 shows an automatic sequence for activating a second message 405 and sending a second message 405b, when each route is reset. A more detailed description (FIG. 18) 399 shows how the activation of a second message is determined." ('359, Col. 18, ll. 42 – Col. 19, ll. 32.)
19. "analyze data indicative of travel"	analyzing data relating to travel of the mobile vehicle	'359, Abstract; Figs. 3-20, 22, 23, 25, 33-35; col. 2:62 - 3:10, col. 9:21 – 10:52, col. 11:3 – 12:31, col. 13:28 - 14:45, col. 15:48 – 16:58, col. 17:38 – 18:41, col. 18:57	Comparing actual vehicle location in relation to scheduled vehicle location	FIGs. 3, 15, 16, 18, 19, 21, 23, 24, 25, 45, 46, and 47. "The impending arrival message is activated when a vehicle 19 is at a

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
		– 20:19, col. 20:38 – 22:48, col. 23:9 – 24:22, col. 26:17 - 27:11, col. 38:17 – 29:48, col. 29:50 – 30:42, col. 30:44 - 32:37, col. 32:43 – 34:24, col. 34:66 – 35:7 and The American Heritage College Dictionary, 3rd, 1997		predetermined time 336, distance away from a stop 337, or at a location/address 338. The computer messaging activation points (as indicated in FIG. 27) and the delivery list (as indicated in FIG 14) are crossed referenced with the vehicle's actual progress through its route and delivery stops. When a particular time, location, and/or package delivery for sending a particular message is reached, the messaging process initiates an electronic computer message to the particular user, as indicated by the flow chart diagram in FIG. 22." ('318, Col. 32, ll. 55-65). "The vehicle 19 location is compared in the person's computer 29, then activated and displayed when the user preferences match the actual vehicle's location." ('318,

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				Col. 35, ll. 60-63). "In the preferred embodiment, a person's computer 29 can activate an impending arrival message when software 223 is residing on a person's computer as shown in FIG. 25. The software 223 compares vehicle location in block 224 and user activation preferences in block 225 to the user preferences display options 226a and user audio options 227a, each time a vehicle 19 is approaching." ('318, Col. 36, ll. 16-22). FIG. 3 is a high level flow chart diagram of the advance notification system of the present invention as applied to a delivery truck system, as indicated in this diagram, the advance notification system generally comprises a vehicle monitoring process for determining the location

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				of vehicle's remotely, a messaging component for sending electronic messages when a vehicle reaches a predetermined point prior to the arrival at a person's stop, and a person's computer connected to a network (e.g., Internet) for receiving and displaying an impending arrival message. ('359) FIG. 19 is a diagram of an example of a method for determining vehicle location without the vehicle being equipped with a location device, such as a GPS, or other devices used for odometer/distance reading device, etc., in an advance notification system. This flow chart diagram illustrates a method for determining vehicle location from a delivery list, actual delivery or attempt to deliver notices and route determining software in the BSCU and/or

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				a user computer. The route and/or mapping software determines the vehicle path (roads) to the next stop and then calculates the distance from mapping software. Furthermore, the vehicle location is associated with time for determining a moving vehicle location. This vehicle location/time is calculated from past route data, mapping software of speed limits, stops signs, red lights, etc. and/or traffic monitoring systems with sensors normally located along the roadside. It also provides an inexpensive means for determining a vehicle time, distance, and/or location away from a home or business for activating an advance notification message of an impending arrival of a vehicle from different user preferences. ('350, Col. 5, ll. 32-52.)

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				FIG. 27 is a table used for determining activation points for impending arrival messages. The roads and locations are normally taken from past records and mapping software for placing a user's request at particular location points associated with a distance, time, or other location activation areas for starting an impending arrival message. ('359, Col. 6, ll. 23-28.) FIG. 28 is a graphic of a map showing impending arrival activation points when a user request is compared with distance, time, or locations, for activating an impending arrival message/s. ('359, Col. 6, ll. 29-32.) "As the vehicle 19 is loaded with packages, the package addresses are considered as the vehicle location stops by the system 10. The actual

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				addresses of the packages are normally scanned into a database program using a bar code scanner device (United Parcel Service tracking numbers are of the following formats: 1Z 999 999 99 9999 999 9, 9999 9999 999, T999 9999 999, or D999 9999 999 with spaces and dashes ignored). The actual vehicle number (which delivers or picks up a package from a business or resident, and not necessarily mid-point vehicles) and package addresses are recorded into the BSCU 14 when packages are sorted to a specific delivery vehicle or truck or entered into the BSCU 14 by the user sending or receiving the package. Additional vehicle stops may be added when requests to pickup packages are received. The request to pickup a package can be downloaded to the VCU 12, with a display for

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				the driver to accept or return for another driver or time/day. If the vehicle driver enters route or package data (the order of delivery, packages, or changes from a computer generated delivery list) the data is then uploaded to the BSCU 14. The timing and package delivery locations are recorded in the BSCU 14 during the initialization of the system 10 and used as a reference for determining locations from impending arrival message points. This information accesses the computer network to inform a user computer when a delivery vehicle 19 is at a predetermined time, mileage, street location, and/or last delivery away from a vehicle stop. In the preferred embodiment, determining the location of a delivery vehicle 19 is accomplished by sending the vehicle location

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				of a delivery vehicle 19 from the time the vehicle departs and/or starts its route." ('359, Col. 15, ll. 50 – Col. 16, ll. 13.) "The timing information is recorded during the initialization and daily recording of vehicle locations with time, and the system 10 is used as a reference during the usual operation of the system 10 for the purpose of determining whether a delivery vehicle 19 is at a predetermined location or time from a delivery stop. Other reference information may be obtained from software for mapping, for example, streets, vehicle speed limits, and traffic flow." ('359, Col. 16, ll. 13-21.) "Next, as indicated at flow chart block 45c (FIG. 13),

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				the VCU 12 determines, continuously or periodically, the location of the delivery vehicle 19 by the GPS 25 and sends the BSCU 14 (FIG. 1) the location information in view of the planned route or stop sequence data (derived from initialization of the packages on the vehicle and/or mapping technologies). In the preferred embodiment, the BSCU 14 at least compares the delivery vehicle current location with the planned route location derived from the logistics of current mapping and route planning technology (FIG. 10) for determining time and/or distance away from a user stop. By comparing previous vehicle routes with time differences between waypoints (longitude and latitude points or Universal Transverse Mercator (UTM) grid system information

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				points an average route timing data base may be used to calculate the time to travel from actual vehicle locations to the impending arrival time at a particular stop. Additional traffic flow measurements may be added by comparing time of day, actual live traffic flow sensors, or other methods. ('359) The method for determining a distance from a user stop for activating an advance notification message may be accomplished by software at the BSCU 14 or the user computer. The user interactive software shows the current user location on a map (FIG. 31). The user places road markers FIG. 38, a circle perimeter FIG. 36, a grid perimeter FIG. 37, which allows the vehicle to determine actual points at each road for a message of

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				the impending arrival of a vehicle, etc. The actual vehicle location activates the impending arrival message when the location matches the selected choice from the user preference data base. Furthermore, the actual order of vehicle stops may be used to determine if the vehicle is entering a selected area on more than one occasion. This comparison provides a distinct advantage by increasing the accuracy of a vehicle impending arrival message by sending the message after the last entry of a vehicle into the user-predefined area. Another advantage of comparing the delivery order list to the user defined areas for notification is the addition of the number of deliveries before reaching the user stop to the impending arrival message, e.g., "UPS has 3 packages for delivery and is 1 mile

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				from your stop at this time. The vehicle has 2 other stops before reaching your location". ('359) While the delivery vehicle actual locations are compared to the existing travel time and distances (FIG. 15), the BSCU 14 is also storing actual location events (time between longitude and latitude or Universal Transverse Mercator (UTM) grid system information points) for averaging with the planned route/travel time over distances. When the BSCU 14 begins sending messages to user computers at a predefined time, distance, location, and/or prior stop, for the impending arrival of a delivery vehicle 19, each particular user computer 36 receives an electronic message and is displayed on their screen, as indicated in

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				flow chart block 145a (FIG. 16). In one example, as shown in FIG. 16, at waypoint number 20 (140c) along the delivery route, the BSCU 14 places a message (144c) to a user computer at waypoint 30 (140d) of the delivery vehicle actual location. A second example in FIG. 16, shows a user being notified when the vehicle is one mile away (144d) from waypoint 30 (144d). The third example in FIG. 16 shows a user being notified when the vehicle is at a predefined street location (144b). This is accomplished by comparing street mapping software with included longitude/latitude or Universal Transverse Mercator (UTM) grid system information coordinates, notification requests, and the (BSCU) 14 vehicle location data base (VLDB). As shown in the configurations (FIGS.

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				15 and 16), time is used to cross reference travel between locations. Determining vehicle location, between communication updates, is achieved by comparing times of prerecorded route information, actual live traffic monitoring systems, and statistical data." ('359, Col. 17, ll. 38 – Col. 18, ll. 41.) "Additionally, preferences for activation of advance notification warnings are shown in FIGS. 33, 34, 35, 36, 37, and 38. After a preference is selected from the end user, the data is normally placed into the Notification Data Base (NDB) 14c after calculations have been made from the address entered into the BSCU computer from a network connection as shown in FIGS. 30 and 31, or

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				ANS software residing on their computer, with or without a network connection. The other calculation of information is in finding an actual longitude/latitude or Universal Transverse Mercator (UTM) grid system information coordinate of each home, business, street address, or most other places on the earth's surface, which can be found with existing mapping software. The Universal Transverse Mercator (UTM) is one grid system that eases the conversion of GPS readings to map data. ('359) Another example compares the list of stops with the vehicle location and determines the last occurrence before the delivery vehicle will cross the predefined marker points to activate the impending

Disputed Claim Term	Plaintiff Proposed Construction	Plaintiff Citation to Intrinsic Evidence	Defendants' Proposed Construction	Defendants' Citation to Intrinsic Evidence[1]
				arrival message. ('359) Additionally, the BSCU 14 adjusts its messaging activation to an actual stop point at each user stop. This allows each user to be notified in accordance with the selected predefined time, distance, location and/or last stop, for example, "The XYZ Delivery Company truck is currently at the corner of Delk Road And Peachtree Street and is approaching your stop" block 415 (FIG. 18). A second message 419 (FIG. 18) will also be sent when the vehicle is detained outside of the predefined system preferences for being late for a stop after sending the initial message 415. Furthermore, in this configuration, a third message is sent as the vehicle arrives at the stop 424. The Flow Chart 399 (FIG. 18) shows an example

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				of the messaging sequence from the BSCU to each user. The example also shows the activation methods used for determining when a vehicle is late and a second and/or third message should be activated and sent to the person's computer. However, when the BSCU 14 determines that the delivery vehicle 19 is excessively late after notifying an individual of an impending arrival at a particular stop, the BSCU 14 resets the message for a route update sequence (FIG. 17) that informs the user of an unexpected occurrence (e.g. a traffic jam), as indicated at flow chart block 399 (FIG. 18). The planned route (FIG. 17) 401 is updated by the actual route information when the preferences 403 are exceeded and the actual time exceeding the predefined limits 406 are reached. The route update is complete

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				when the new actual time 402 resets the planned time associated with the location of the vehicle. The route timing update is shown in block 404 (FIG. 17). After each route update, a message update routine determines if an end user needs a second or third message. The activation of a second message is normally determined by the planned location predefined limit 403, or an individual limit predefined for sending a second or third message. The illustration (FIG. 17) 406 shows an automatic sequence for activating a second message 405 and sending a second message 405b, when each route is reset. A more detailed description (FIG. 18) 399 shows how the activation of a second message is determined." ('359, Col. 18, ll. 42 – Col. 19, ll. 32.)

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